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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,332	11/14/2001	Luke E. Girard	42390.P12365X	6195

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EXAMINER

WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,332

Applicant(s)

GIRARD, LUKE E.

Examiner

XIAO M. WU

Art Unit

2674

V

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 10-16 are misnumbered and they have been renumbered as to claims 9-15, respectively.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Fan et al. (US Patent No. 5,815,126).

As to claim 1, Fan discloses a headset (see Figs. 34A-C) comprising: a receiver (720, Fig. 35) to receive a display command (770, Fig. 35) through a wireless link (col. 16, lines 25-29 and col. 17, 4-15); and a processor (712, Fig. 35) coupled to render an image according to the display command.

As to claim 2, Fan discloses the headset includes a monocular display (1102', Fig. 34A) to display the image.

As to claim 3, Fan discloses the headset receives the display command from a server to change an image displayed on the monocular display. For example, as shown in Fig. 37, the commander in the fire truck can send the building map information to the firefighter and display on the monocular display (see col. 37, line 36 to col. 18, line 10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan et al. (US Patent No. 5,815,126) in view of Tamura et al. (Pub. No. US 2002/0055215).

As to claims 4, 5, 8, 10, 12, 14, Fan discloses a computer-readable medium (CPU 712, Fig. 35) having stored thereon a set of instructions to translate instructions, the set of instructions, which when executed by a processor (712), cause the processor to perform a method comprising: a headset (see Figs. 34A-C) receiver (720, Fig. 35) receiving a display command (770, Fig. 35) through a wireless link (col. 16, lines 25-29 and col. 17, 4-15); and a processor (712, Fig. 35) for processing the display command and displaying an image according to the display command.

It is noted that Fan does not specifically disclose the receiver receiving a compressed display command and the processor decompressed the compressed display command. Tamura is cited to teach a wireless display device (16) which can receive a compressed video data (21) and decompressed (30) the compressed video data for the display (see Figs. 2 and 3; and pp [0109-0116], pp [0138-0139] and [0146]).

It would have been obvious to one of ordinary skill in the art to have modified Fan with the features of receiving compressed video data and decompressed the video data as taught by Tamura so that the user can receive and display MPEG standard.

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As to claim 6, 11, and 15, Tamura discloses receiving the compressed bitmap file in accordance with Motion Pictures Experts Group (MPEG) protocol (see pp [0029]).

As to claim 7, Tamura discloses a Bluetooth enabled link (see pp[0139]).

As to claim 9 and 13, Fan discloses including a headset mounted monocular display (1102', Fig. 34A) displaying the image.

Conclusion

6. The prior art made of record, and not relied upon is considered pertinent to applicant's disclosure.

The US Patents 5,048,077, 5,584,070, 5,619,183, 5,644,714, 6,157,396, 6,172,657, 6,292,158 and Pub. No. US 2003/0025648 are cited to teach a remote display device.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

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(703) 872-9314


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

April 30, 2003


XIAO WU
PRIMARY EXAMINER
ART UNIT 2674